CITY OF LONG BEACH CITY COUNCIL AGENDA

Bonnie Lowenthal. 1st District Vacant, 2nd District Frank Colonna, 3rd District Patrick O'Donnell, 4th District

Gerald R. Miller, City Manager Larry G. Herrera, City Clerk



Beverly O'Neill, Mayor

TUESDAY, APRIL 18, 2006 **COUNCIL CHAMBER, 5:00 PM**

Jackie Kell, Vice Mayor, 5th District Laura Richardson, 6th District Tonia Reyes Uranga, 7th District Rae Gabelich, 8th District Val Lerch, 9th District

Robert E. Shannon, City Attorney

PROCLAMATION PRESENTED FOR **DENIM DAY LONG BEACH APRIL 19, 2006**

PROCLAMATION PRESENTED FOR **ARBOR DAY APRIL 28, 2006**

PROCLAMATION PRESENTED FOR **CHILDREN'S DAY** 12TH ANNIVERSARY **APRIL 29, 2006**

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council.

HEARING:

1. 06-0297

Recommendation to conduct a hearing on the appeal by Ann Cantrell and Joseph M. Weinstein of the Planning Commission approval of the proposed Sports Park located at 2801 Orange Avenue; receive the supporting documentation into the record, conclude the public hearing, deny the appeals, and adopt resolution certifying Recirculated Environmental Impact Report 08-04 (SCH No. 1999091108), approve Addenda for Site Plan 3A and 3B and further adopt findings in support of certification, and adopt a Statement of Overriding Considerations and Mitigation Monitoring Program;

Attachments:

06-0298

Approve the resolution amending the General Plan designation of the site from General Industry (LUD# 9G) to Open Space and Park District (LUD#11) and Traditional Retail Strip Commercial District (LUD#8A);

Attachments: H-1sr

06-0299

Declare the ordinance amending the zoning designation of the site from Institutional (I) and Medium Industrial (IM) to Park (P) and Community Commercial Automobile Oriented District (CCA) read the first time and laid over to the next regular meeting of the City Council for final reading;

Attachments: H-1sr

06-0300

Approve the Site Plan Review for the modified Plan (3B) of the Sports Park Master Plan, subject to conditions;

Approve the Conditional Use Permit for a restaurant with on-site sale and consumption of alcohol, subject to conditions;

Approve the Standards Variance for providing 612 parking spaces instead of not less than 761 spaces, subject to conditions; and

Approve the Lot Line Adjustment, subject to conditions (Case No. 0507-01). (District 7)

Office or Department: PLANNING COMMISSION; PLANNING AND

BUILDING

Suggested Action: Approve recommendation.

Attachments: H-1sr

PUBLIC COMMENT: OBTAIN SPEAKER CARD FROM THE CITY CLERK

Opportunity to address the City Council (on non-agenda items) is given to the first 10 persons who submit Speaker Cards to the City Clerk beginning at 15 minutes prior to 5:00 p.m. Each speaker is allowed three minutes to make their comments.

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

CONSENT CALENDAR: (2 - 35)

2. 06-0144

Recommendation that City Council concur in recommendation of Budget Oversight Committee to receive and file the communication relating to proposed schedule for Fiscal Year 2007 community input, budget workshops and Budget Oversight Committee meetings.

Office or Department: COUNCILWOMAN LAURA RICHARDSON,

SIXTH DISTRICT, CHAIR; BUDGET

OVERSIGHT COMMITTEE

Suggested Action: Approve recommendation.

Attachments: Proposed Schedule for FY 07 Community Input

C-2sr C-2att

3. <u>06-0314</u>

Recommendation to authorize City Attorney to submit Compromise and Release for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$45,000 in compliance with the Appeals Board Order for Leonard Dean

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: C-3sr

4. 06-0302

Recommendation to authorize City Attorney to submit Stipulations with Requests for Awards for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$24,990 for the claim of Ronnie Buries; and \$16,742.50 for claim of Marco Reyes in compliance with the Appeals Board Orders.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: C-4sr

5. <u>06-0315</u>

Recommendation to authorize City Attorney to submit Stipulation for accrued benefits for approval by the Workers' Compensation Appeals Board, and if so approved, authority to pay \$33,448.56 for the claim of William Snyder in compliance with the Appeals Board Order.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: C-5sr

6. 06-0340

Recommendation to authorize City Attorney to pay the sum of \$15,000 in full settlement of lawsuit entitled Howard K. Brown, Jr. vs. City of Long Beach, et al., Case No. BC301644.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: C-6sr

7. 06-0313

Recommendation to authorize City Attorney to pay the sum of \$7,000 in full settlement of lawsuit entitled Daniel Rosenberg vs. City of Long Beach.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: C-7sr

8. 06-0309

Recommendation to authorize City Manager to execute a First Amendment to Contract No. 29414 with Legal Counsel Ezra, Brutzkus, Gubner, LLP in the matter entitled Queen's Seaport Development, Inc., Case No. LA05-15175VZ.

Office or Department: CITY ATTORNEY

Suggested Action: Approve recommendation.

Attachments: C-8sr

9. 06-0312 Recommendation to receive and file the review of

Registrations/Reservations section of the Department of Parks,

Recreation and Marine.

Office or Department: CITY AUDITOR

Suggested Action: Approve recommendation.

Attachments: C-9sr

10. 06-0310 Recommendation to refer to City Attorney damage claims received

between March 30, 2006 and April 13, 2006.

Office or Department: CITY CLERK

Suggested Action: Approve recommendation.

<u>Attachments:</u> C-10sr C-10att

11. <u>06-0316</u> Recommendation to authorize City Manager to execute the First

Amendment to Lease No. 29128 with Daryl and Kim Rouse for City-leased property at 1526 East 4th Street for a term of one year, with two one-year options for renewal at the discretion of the City Manager.

(District 2)

Office or Department: COMMUNITY DEVELOPMENT; PARKS,

RECREATION AND MARINE

Suggested Action: Approve recommendation.

Attachments: C-11sr

12. 06-0317 Recommendation to authorize City Manager to execute the Fourth

Amendment to Lease No. 26751 by and between 110 Pine, LLC, an Arizona limited liability company, and the City of Long Beach for office space at 110 Pine Avenue, Suites 820, 1100 and 1200. (District 2)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

Attachments: C-12sr

13. <u>06-0318</u>

Recommendation to authorize City Manager to execute all documents necessary for a Sublease to Lease No. 27583 by and between the City of Long Beach and the Long Beach Heritage Museum, a California non-profit corporation, for approximately 2,900 useable square feet of storage space at 2311 South Street. (District 9)

Office or Department: COMMUNITY DEVELOPMENT; POLICE

Suggested Action: Approve recommendation.

Attachments: C-13sr

14. 06-0320

Recommendation to adopt Specifications No. PA-00806 and award contract to Pacific Truck Equipment, Inc., to purchase and install service bodies on 17 service truck cabs and chassis, in the amount of \$157,207 including tax, with the option of increasing the contract 10 percent if funds are available. (Citywide)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: C-14sr

15. 06-0321

Recommendation to authorize City Manager to execute a Fourth Amendment to Lease No. 23858 between the City of Long Beach and Golden Shore Recreational Vehicle Park, Inc. to change the basis for Lease rental payment calculations from gross receipts to gross revenues. (District 2)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

Attachments: C-15sr

Recommendation to adopt a resolution authorizing City Manager to submit a grant application to the California Department of Parks and Recreation through the Land and Water Conservation Fund in the amount of \$100,000 for the River Shore View Trail Project; and to execute all documents necessary to implement and administer the grant at a total project cost of \$200,000. (District 2)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

Attachments: C-16sr C-16att

17. 06-0325

Recommendation to authorize City Manager to execute a Lease and Operating Agreement with Beach Ventures, Inc., and all documents necessary for the operation of food and beverage concessions, a restaurant, retail/merchandise sales, miscellaneous commercial recreational equipment and services, vessel provisioning, and a welcome center at the Belmont Veterans Memorial Pier for a ten-year term, with two five-year extension options, at the sole discretion of the City Manager. (District 3)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

Attachments: C-17sr C-17att

18. 06-0326

Recommendation to authorize City Manager to execute a License Agreement with Conte Productions for use of 40 contiguous parking spaces, southwest of the Marina Shipyard, west of Marina Drive, adjacent to the Alamitos Bay Marina, to conduct an Arts and Crafts Market for a term of two years with two, two-year options for renewal, subject to the discretion of the City Manager and regulatory approval. (District 3)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

Attachments: C-18sr C-18att

Recommendation to authorize City Manager to execute an agreement with the YMCA of Greater Long Beach to provide camping service for the annual Adaptive Recreation in a Special Environment Program (ARISE Program) Camp Oakes excursion; and

Authorize City Manager to execute all documents necessary to implement and administer the 2006 excursion. (Citywide)

Office or Department: PARKS, RECREATION AND MARINE

Suggested Action: Approve recommendation.

Attachments: C-19sr

20. <u>06-0331</u>

Recommendation to authorize City Manager to execute all documents necessary to implement and administer the grant agreement for the Recreation Park Arbors project through the Long Beach Navy Memorial Heritage Association; and increase appropriations in the Capital Projects Fund (CP 201) in the Department of Parks, Recreation and Marine (PR) by \$50,000; and (District 3)

Authorize City Manager to execute all documents necessary to implement and administer the grant agreement for Phase 1 of the Citywide Historical Resources Survey project through the Long Beach Navy Memorial Heritage Association; and increase appropriations in the General Grants Fund (SR 120) in the Department of Planning and Building (PB) by \$29,800. (Citywide)

Office or Department: PARKS, RECREATION AND MARINE;

PLANNING AND BUILDING

Suggested Action: Approve recommendation.

Attachments: C-20sr

21. 06-0333

Recommendation to receive and file the application of LBC Beverage's Incorporated, dba Clancy's, for a person-to-person transfer of an Alcoholic Beverage Control License, at 803 East Broadway, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: C-21sr

22.06-0322

Recommendation to receive and file the application of Hush on Pine Incorporated, dba Hush, for a person-to-person transfer of an Alcoholic Beverage Control License, at 217-21 Pine Avenue, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: C-22sr

23. 06-0323

Recommendation to receive and file the application of Bai Plu Thai and Aki Sushi Bar Incorporated, dba Bai Plu Authentic Thai Cuisine and Aki Sushi Bar, for a fiduciary transfer of an Alcoholic Beverage Control License, at 1626-28 East 7th Street, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

<u>Attachments:</u> C-23sr C-23att

24. 06-0327

Recommendation to receive and file the application of V2O LP, dba V2O, for a person-to-person transfer of an Alcoholic Beverage Control License, at 81 Aquarium Way, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

<u>Attachments:</u> C-24sr C-24att

25. 06-0329

Recommendation to receive and file the application of Kirubel Kebede and Lulit Semunegus, dba Sierra Liquor, for a person-to-person transfer of an Alcoholic Beverage Control License, at 1601 East 4th Street, with existing conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: C-25sr

26.06-0330

Recommendation to receive and file the application of Tavern Partners LLC, dba 49r's Tavern, for a person-to-person transfer of an Alcoholic Beverage Control License, at 5660 East Pacific Coast Highway, with existing conditions. (District 3)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: C-26sr

27.06-0332

Recommendation to receive and file the application of Pragna Patel and Ramesh Patel, dba Happy Liquor Store, for a person-to-person transfer of an Alcoholic Beverage Control License, at 2201 Magnolia Avenue, with existing conditions. (District 7)

Office or Department: POLICE

Suggested Action: Approve recommendation.

<u>Attachments:</u> C-27sr C-27att

28. 06-0334

Recommendation to authorize City Manager to execute the Sixteenth Amendment to Agreement No. 23214 with CompuDyne-Public Safety and Justice, Inc., and all related documents, to provide software and services in Fiscal Year 2006 in an amount not to exceed \$135,000. (Citywide)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: C-28sr

29.06-0335

Recommendation to find that all requirements of the final subdivision map have been satisfied and approve the map for Tract No. 62567 located north of 10th Street and east of Gladys Avenue. (District 4)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: C-29sr

30.06-0336

Recommendation to find that all requirements of the final subdivision map have been satisfied and approve the map for Tract No. 53788 located north of 69th Way and east of Orcutt Avenue. (District 9)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: C-30sr

31. 06-0337

Recommendation to approve a discretionary permit for the Long Beach Gas and Oil Department to replace gas mains and service lines in various City streets, which have been reconstructed within the previous 60 months and are not to be disturbed in accordance with Section 14.08.060, Public Works Permit-Issuance, of the Long Beach Municipal Code. (Districts 1,5,7,9)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: C-31sr C-31att

32.06-0338

Recommendation to authorize City Manager to execute the Second Amendment to Agreement No. 27868 with Adopt-A-Storm Drain, Inc., for operation of Adopt-A-Waterway, a Corporate Recognition and Environmental Education Program. (Citywide)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

<u>Attachments:</u> C-32sr C-32at

33.06-0339

Recommendation to authorize City Manager to execute an agreement with T-Mobile USA, sign related documents with Verizon Wireless, and adopt a resolution to participate in the State of California Agreement Number 1S-05-58-01 with Nextel Communications, to provide cellular telephone and Blackberry data (e-mail) service in an aggregate annual amount not to exceed \$625,000. (Citywide)

Office or Department: TECHNOLOGY SERVICES

Suggested Action: Approve recommendation.

Attachments: C-33sr C-33att 34. 06-0303 Recommendation to receive and file minutes of:

Harbor Commission - March 27, and April 3, 2006.

Planning Commission - February 16, 2006.

Office or Department: VARIOUS

Suggested Action: Approve recommendation.

Attachments: C-34minutes

35. <u>06-0341</u> Recommendation to approve Proclamation presented for Denim Day

Long Beach, April 19, 2006; Arbor Day, April 28, 2006; and Children's

Day 12th Anniversary, April 29, 2006.

Office or Department: LEGISLATIVE

Suggested Action: Approve recommendation.

Attachments: C-35sr

UNFINISHED BUSINESS:

36. <u>06-0120</u> Recommendation to continue the referral to Hearing Officer to appeal

denial of business license by Pallas Athena Enterprise, Inc., dba Shangrilah Bistro and Tea Garden (formerly Fleur De Lis), 335 Nieto

Avenue. (District 3)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

<u>Attachments:</u> r-26sr r-26att

UB-17 sr.pdf UB-17 att.pdf

<u>UB-36sr</u> <u>UB-36att</u>

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

37. <u>06-0343</u> Recommendation to adopt resolution in support of full funding for the

Community Development Block Grant (CDBG) program.

Office or Department: MAYOR BEVERLY O'NEILL

Suggested Action: Approve recommendation.

Attachments: R-37sr

38. <u>06-0342</u> Recommendation to request City Manager to work with the City Clerk to

develop a City Employee poll worker program and further coordinate with Los Angeles County staff to ensure mutual aid for upcoming

municipal/county elections.

Office or Department: COUNCILMEMBER PATRICK O'DONNELL,

FOURTH DISTRICT

Suggested Action: Approve recommendation.

Attachments: R-38sr

39. 06-0228 Recommendation to authorize the City Manager to enter into

Memoranda of Understanding with The Lee Group, LLC/Kensington Holdings and Grand Prix Place, LLC, to negotiate the sale of the City

Hall East Building. (District 2)

Office or Department: COMMUNITY DEVELOPMENT

Suggested Action: Approve recommendation.

Attachments: R-39sr

Recommendation to authorize City Manager to develop bond documents in preparation of financing the expansion of parks and open space in underserved communities; and, once the documents are prepared, return to the City Council with the proposed bond financing and issuance of debt in an amount not to exceed \$25 million. (Districts 1,2,6,7,9)

Office or Department: COMMUNITY DEVELOPMENT; FINANCIAL

MANAGEMENT; PARKS, RECREATION AND

MARINE

Suggested Action: Approve recommendation.

Attachments: R-30sr

R-30att R-40sr R-40att

41. 06-0319

Recommendation to adopt Specifications No. PA-02205 and award a contract to Crash Rescue Equipment Services, Inc., for furnishing and delivering one Rapid Intervention Vehicle and necessary auxiliary equipment for \$309,341 including tax. (District 5)

Office or Department: FINANCIAL MANAGEMENT; PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: R-41sr

42. 06-0301

Recommendation to adopt resolution authorizing City Manager to implement Gas Rate Schedules 1 through 5 and 7 through 10, utility fees, charges, and incentives in Exhibits A, B and C. (Citywide)

Office or Department: LONG BEACH GAS AND OIL

Suggested Action: Approve recommendation.

Attachments: R-42sr R-42att 43. <u>06-0304</u>

Recommendation to receive and file the application of Yongwon and Son's Incorporated, dba Mr. Roboto, for an original Alcoholic Beverage Control License, at 245 Pine Avenue, Suite 190, with conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: R-43sr

44.06-0306

Recommendation to receive and file the application of Springbok Bar and Grill Long Beach Incorporated, dba Springbok Bar and Grill, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 423 Shoreline Village Drive, Suite A, with conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

<u>Attachments:</u> R-44sr R-44at

45. 06-0307

Recommendation to receive and file the application of Daz Restaurant LLC, dba Boston's The Gourmet Pizza, for a person-to-person and premise-to-premise transfer of an Alcoholic Beverage Control License, at 90 Aquarium Way, with conditions. (District 2)

Office or Department: POLICE

Suggested Action: Approve recommendation.

Attachments: R-45sr R-45at

Recommendation to authorize City Manager to execute all necessary documents to amend the existing Passenger Facility Charge (PFC) program previously approved by the City Council and Federal Aviation Administration (FAA) and to accept, implement, administer, collect and expend a new PFC program related to the Airport Capital Improvement Program (CIP), all within the existing \$3 per enplaned passenger authorized PFC level. (District 5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: R-46sr

47.06-0308

Recommendation to receive and file the monthly Airport activities reports. (District 5)

Office or Department: PUBLIC WORKS

Suggested Action: Approve recommendation.

Attachments: R-47sr

ORDINANCE:

48. 06-0305

Recommendation to declare ordinance amending Long Beach Municipal Code Section 16.08.990, relating to marina refunds, read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

Office or Department: FINANCIAL MANAGEMENT

Suggested Action: Approve recommendation.

Attachments: ORD-48sr ORD-48att

NEW BUSINESS:

New Business items are additions to the City Council Agenda subsequent to the posting of the agenda on Thursday afternoon.

49.

50.

51.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity is given to those members of the public who have not addressed the City Council on non-agenda items. Each speaker is limited to three minutes unless extended by the City Council.

STANDING COMMITTEE REMINDERS:

Economic Development and Finance Committee (Attorney/Client) at 2:00 P.M., Council Lounge.

Budget Oversight Committee at 2:30 P.M.

State Legislation and Environmental Affairs Committee at 4:00 P.M.

HEARING REMINDERS:

May 2, 2006 – Hearing to approve ordinance extending the time limits by one year for the Poly High, Downtown, and West Beach Project Areas. (Districts 1,2,6)

May 2, 2006 – Hearing on denial of business license, Chang Kol Yim, dba Rancho Meat Market #3, at 225 W. Anaheim Street. (District 1)

May 2, 2006 – Hearing for Site Plan Review and Conditional Use Permit to expand an existing self-storage facility within the existing building, at 4100 Cherry Avenue (Case No. 0512-30). (District 7)

May 9, 2006 – Hearing for a Permit for Entertainment Without Dancing at an existing restaurant, Joanne Punch, dba Caribbean Hut, 701 Pine Avenue. (District 1)

May 9, 2006 – Hearing for a Permit for Entertainment With Dancing at an existing restaurant, Moxie Partners Inc., dba SACHI, 6400 E. Pacific Coast Highway. (District 3)

NOTE:

An agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Dept., City Hall Plaza Level, 333 W. Ocean Blvd., Long Beach, CA 90802.

The City Council agenda and supporting documents are available on the Internet at www.longbeach.gov. Persons interested in obtaining an agenda via e-mail should subscribe to the City of Long Beach E-Notify System at http://www.longbeach.gov/enotify/default.asp.

Agenda items may also be reviewed in the City Clerk Department or the Plaza Level Information Desk of the Main Library and at Branch Libraries.

If language interpretation for non-English speaking persons is desired or if a special accommodation is desired pursuant to the Americans with Disabilities Act, please make your request by phone to the City Clerk Department at (562) 570-6101, by 12 noon Monday, the day prior to the Council meeting.

E-Mail correspondence regarding agenda items can be directed to cityclerk@longbeach.gov.